

Appln No. 10/662,595

Amdt date August 19, 2005

Reply to Office action of May 19, 2005

REMARKS/ARGUMENTS

Applicants thank the Examiner for his careful consideration of this application. In response to the above-identified Office action, Applicants amend the application and seek reconsideration and allowance thereof. In this response, Applicants do not add or cancel any claims. Applicants amend claims 1, 15, 18, 19 and 21. Accordingly, claims 1-27 are pending.

I. Interview

Applicants' attorney conducted an interview with the Examiner on August 5, 2005. The Examiner and Applicants' attorney briefly discussed the disclosure of the present invention and the cited reference. The preamble language of the claim and possible amendment to add context to the independent claims as part of an optical package or subassembly was discussed but no agreement was reached regarding such a change. The Examiner provided a suggested change to the independent claims related to the path of the fiber optic line through the epoxy. Applicants' attorney suggested a possible change to the claim language to clarify that an entire top or upper surface of the epoxy is covered by the diffusion retardant plate. In contrast, the cited reference, U.S. Patent No. 5,277,930 ("Uchida"), discloses a component that is placed on a printed wiring board with a cushion that only covers the area immediately around the component and not the entire surface of the printed wiring board. The Examiner agreed in principle that

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Uchida did not disclose covering the entire upper surface of the epoxy with a diffusion retardant plate. Thus, Applicants have amended the independent claims based on this understanding with the Examiner to distinguish the independent claims over Uchida.

II. Claims rejected under 35 U.S.C. § 103

The Examiner has rejected claims 1-12, 15, 16, 18, 19 and 21-25 under 35 U.S.C. § 103 as being obvious over U.S. Patent 5,277,930 (hereinafter "Uchida"). Applicants respectfully request reconsideration and withdrawal of the rejection of these claims in light of the amendments thereto.

To establish a *prima facie* case of obviousness, the Examiner must establish that the cited reference teaches or suggests each of the elements of the claims. In regard to independent claims 1, 15, 18 and 21, these claims include the elements of a "diffusion retarding plate covering an entire upper surface of said epoxy" (see claim 1) or similar elements. As discussed above in regard to the Interview of August 5, 2005, Applicants do not believe that these elements of the claims are taught or suggested by Uchida. Rather, Uchida discloses a fiber optic line embedded in a printed wiring board where a cushion between an inserted component and the board covers an area immediately adjacent to the component, but not the entire surface of the printed wiring board. See for example, Uchida figures 1A through 2C. Therefore, Uchida does not teach or suggest each of the elements of claims 1, 15, 18 and 21.

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Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

In regard to claims 2-12, 16, 19 and 22-25, these claims depend from independent claims 1, 15, 18 and 21, respectively, and incorporate the limitations thereof. Thus, at least for the reasons mentioned above, Uchida does not teach or suggest each of the elements of these claims. In addition, these claims include elements that in combination with the independent claims further distinguish them over the cited references. Accordingly, reconsideration and withdrawal of the obviousness rejection of these claims are requested.

III. Allowable Subject Matter

Applicants note with appreciation that the Examiner has indicated that claims 13, 14, 17, 20, 26 and 27 include allowable subject matter. These claims have been objected to for depending from rejected claims. For the reasons set forth above, Applicants believe that the independent claims are in condition for allowance and therefore these dependent claims are also in condition for allowance.

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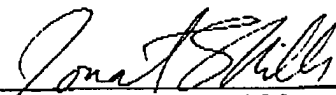
Conclusion

In view of the foregoing, it is believed that all claims now pending, namely claims 1-27 patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (626) 795-9900.

Respectfully submitted,

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